

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Berkley National Insurance Company,	)	
	)	
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
XTO Energy, Inc.,	)	Case No. 1:18-cv-195
	)	
Defendant, and	)	
Third-Party Plaintiff,	)	
	)	
vs.	)	
	)	
Commerce and Industry Insurance	)	
Company, Torus National Insurance	)	
Company n/k/a StarStone National	)	
Insurance Company, and Seneca	)	
Specialty Insurance Company,	)	
	)	
Third-Party Defendants.	)	

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On October 11, 2023, the Parties filed a “Joint Motion Regarding Expert Witness Discovery and Dispositive Motion Deadlines.” (Doc. No. 240). They request that the court extend the deadlines to complete expert depositions and file dispositive and *Daubert* motions.

The court **GRANTS** the Parties’ motion (Doc. No 240). The parties shall have until November 22, 2023, to complete expert depositions. The parties shall have until December 22, 2023, to file dispositive and *Daubert* motions.

To ensure there is sufficient time for the briefing and consideration of any additional dispositive or *Daubert* motions that may be filed, the court, on its own motion, shall continue the trial. Accordingly, the final pretrial conference set for April 9, 2024, shall be rescheduled for

October 8, 2024, by telephone before the magistrate judge. To participate in the conference, the parties should call (877) 810-9415 and enter access code 8992581. The jury trial scheduled for April 22, 2024, shall be rescheduled for October 21, 2024, at 9:00 AM in Bismarck (Eagle courtroom) before Judge Hovland. A five (5) day trial is anticipated.

**IT IS SO ORDERED.**

Dated this 13th day of October, 2023.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge  
United States District Court